

FILED
U.S. DISTRICT COURT

2012 MAY 10 A 11:15

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

BY: _____
DEPUTY CLERK

VINCENT BARELA,

Plaintiff,

vs.

TOM EDMUNSON,

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:11-cv-718

Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Brooke Wells on April 20, 2012, recommending that Plaintiff Vincent Barela's ("Plaintiff") case against Defendant Tom Edmunson be dismissed, and that Plaintiff's Motion for Service of Process (Dkt. No. 4) and Plaintiff's Motion to Appoint Counsel (Dkt. No. 5) be deemed moot.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen days after receiving it. Neither party has filed such an objection.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the court ADOPTS the Report and Recommendation and

hereby DISMISSES Plaintiff's Complaint. Plaintiff's Motion for Service of Process and Motion to Appoint Counsel are DISMISSED as moot.

IT IS SO ORDERED.

DATED this 9 day of May, 2012.

A handwritten signature in black ink, reading "Dee Benson", written over a horizontal line.

Dee Benson
United States District Judge